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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/721,737 | 11/26/2003 | Hee Seok Roh | K-0583 | 3954 |
| 34610 | 7590 | 09/12/2007 | | |
| KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200 | | | EXAMINER PATEL, RITA RAMESH | |
| | | | ART UNIT 1746 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,737

Applicant(s)

ROH, HEE SEOK

Examiner

Rita R. Patel

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/28/07 has been entered.

Response to Applicant's Arguments / Amendments

This Office Action is responsive to the amendment filed on 6/28/07. Claims 1-25 are pending. Claims 21-25 are new. Claims 1-4, 14, 15, and 19 have been amended.

Arguments/remarks filed by applicant on 6/28/07 have been responded to in sum in prior Advisory Action (PTOL-303) filed by the Office on 5/18/07. In light of the amendments made to the claims, the former rejection over the Clearman reference (US Patent No. 3,180,348) has been withdrawn and the instant claims are rejected under new grounds of rejections and thus claims 1-25 are rejected for the reasons of record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 10-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Meret (UK Patent Application: GB 2,199,734).

Meret teaches a dishwasher comprising wash chamber 5, basket 6, 7, (second and first racks, respectively) for supporting articles to be washed, and rotary spray arms 9, 11 for spraying wash liquid at the articles is characterized in that rotary spray arm 11 is provided with a manually adjustable, apertured slider 23 whereby jets of wash liquid may be selectively directed upwardly through apertures 12 (plurality of holes) or downwardly through apertures 22. In a modification, the rotary spray arm 11 is only provided with apertures 12, a removable plug opposite supply pipe 15 and is mounted in such a way that, after removal of the plug, it can be inverted and re-mounted, so that, in use, jets of wash liquid may be directed downwardly instead of upwardly (Abstract). Slider 23 of rotary spray arm 11 in Meret reads on Applicant's claim for a first nozzle. A water recirculating pump 8 (circulating means) is operable to supply a rotary arm member 9, and by way of an air gap 10, a rotary arm member 11 (page 3, lines 15-17). It is at once envisaged that Meret's teaching of a wash liquid is made-up of water, detergents, soil particles, or any combination thereof, since it is well-known in the art of

dishwashers that wash liquid is formed of water/detergent to remove soil particles from articles being washed therein.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meret further in view of Payzant (US Patent No. 5,725,002).

Meret teaches the claimed invention, except fails to recite the use of a pair of O-rings for connecting the surfaces between the fixed central piece and the first and second nozzles. Meret merely discloses that the rotary member 11 is supported by pipe 15, and is in communication therewith by way of hole 13 which is preferably fixed in respect of rotation by means of releasable coupling latching means comprising a housing-like holder or the like (page 2, lines 14-18 and 26-33; page 4, lines 4-6). However, Payzant teaches a dishwashing machine having interchangeable top and bottom spray arms and corresponding O-rings 52, 130 attached to a spray base 46 for connection of a spray conduit 38 thereto. It would have been obvious to one of ordinary skill in the art at the time of the invention to use rubber O-rings in Meret as taught by Payzant to prevent leakage of water and resiliency in sealing connections to water supply pipes.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Jacobs (US Patent No. 3,648,931) teaches a dishwasher with selectable levels of wash, including a fluid circulating pump variously connectable with a lower rotating spray arm, a vertical spray column on the spray arm, and an upper spray header.

Lim et al. (US Patent No. 5,331,986) teaches a dishwashing machine having a first and second washing compartment spatially separated from each other by a partition wall, and first and second spray means operable independently of one another to permit selective washing.


Kim et al. (US Patent No. 5,899,433) teaches a washing water supply control apparatus for a dish washing machine which is capable of concurrently or selectively supplying washing water to both upper and lower spray arms .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita R. Patel whose telephone number is (571) 272-8701. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1746

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



rrp



MICHAEL BARR
SUPERVISORY PATENT EXAMINER